

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

FAVIO FERNANDO	:	
CUAJIVOY-CORTEZ,	:	CIV. NO. 23-156 (RMB)
	:	
Petitioner	:	
v.	:	OPINION
	:	
STEVIE M. KNIGHT,	:	
	:	
Respondent	:	

CHIEF JUDGE RENÉE MARIE BUMB

Petitioner Favio Fernando Cuajivoy-Cortez, a prisoner confined in the Federal Correctional Institution in Fort Dix, New Jersey (“FCI Fort Dix”), filed a petition for writ of habeas corpus under 28 U.S.C. § 2241, challenging the Bureau of Prison’s (“BOP”) refusal to apply his First Step Act Time Credits based on his immigration detainer. (Pet., Docket No. 1.) Respondent submits that the petition is moot because the BOP has applied Petitioner’s Time Credits and changed his release date. (Declaration of Cyntrena Cross-Peart, Dkt. No. 6-1, Exhibits 1-5.)

When a habeas petitioner receives the relief sought in their habeas petition, there is no longer a case or controversy, and the petition must be dismissed as moot. *Blanciak v. Allegheny Ludlum Corp.*, 77 F.3d 690, 698-99 (3d Cir. 1996). Therefore, this Court will dismiss this matter.

An accompanying Order follows.

DATE: **April 3, 2023**

s/Renée Marie Bumb
RENÉE MARIE BUMB
Chief United States District Judge